REMARKS

Claims 1-11 and 13-61 are pending, application, of which Claims 1, 23, 38, 41, 42, 43, 44, 56, 59 and 60 are independent. All claims were rejected under 35 U.S.C. § 103(a). For the reasons described below, this rejection is overcome, and all claims are in condition for allowance.

Claim Amendments

Claims 1, 17, 23, 38, 41, 42, 43, 44, 56, 59 and 60 are amended to claim the invention more distinctly. Although the independent claims specified that supply chain sites are independent sites, the claims are amended to emphasize this aspect of the invention. In addition, Claim 60 is amended to specify the types of independent sites involved in the supply chain. Specifically, Claim 60 is amended to require that one of the independent sites corresponds to a vendor, and another site corresponds to a distributor, as similarly claimed in dependent Claim 17. Thus, no new matter is introduced. Acceptance is respectfully requested.

New dependent Claim 61 is added by the present amendment to claim the invention more distinctly. New dependent Claim 61 recites limitations similar to dependent Claim 17. Thus no new matter is being introduced. Acceptance is respectfully requested.

Rejections under 35 U.S.C. § 103(a)

All claims were rejected under 35 U.S.C. § 103(a) based on Huang (U.S. Patent No. 5,953,707) in view of Muraoka (U.S. Patent No. 6,317,725). This rejection is respectfully traversed and reconsideration is requested.

To establish a prima facie case of obviousness under 35 U.S.C. § 103(a), three criteria must be met. There must be: (1) some suggestion or motivation to modify the reference or to combine reference teachings, (2) a reasonable expectation of success, and (3) a teaching or suggestion of all the limitations of the claim. See M.P.E.P. § 2143. As discussed in more detail below, it is respectfully submitted that the Examiner has not established a prima facie case of

obviousness for any of the present claims because none of the cited references, taken alone or in combination, discuss a system for monitoring a supply chain of a plurality of independent supply chain sites and alerting a site to problems in the supply chain occurring at another independent site, and that therefore, the present claims are allowable.

Preferred embodiments facilitate the exchange of up-to-date supply-related information among independent entities in a supply chain. These independent entities may be, for example, contract manufacturers, vendors, OEMs, and distributors. Each entity has a corresponding supply chain site, which may be a web-based site. Preferably, a web-based portal is provided that allows all of these independent entities to share up-to-date supply related data, while also providing them with protection from unauthorized disclosure of their proprietary information to entities in the supply chain. Supply-related data, which may be proprietary, is extracted from each entity's supply chain sites and uploaded to a data collection site. In response to a query from a user of an entity's site, a portion of the collected data, which has been retrieved from other entities in the supply chain, is formatted and presented to the user based on their access privileges. If a problem is detected in that data, such as a surplus or shortage, an alert is asserted to the user. In this way, independent entities can be alerted to problem conditions detected in supply chain data from other sites.

With prior systems, independent entities are not able to easily and quickly share information with each other. Typically, their data is proprietary, and independent entities, such as corporations, do not want to share their proprietary information with each other. Another complication is that often, each corporate entity has its own format for storing data, which hinders the exchange the information, particularly when there are numerous independent participants in the supply chain that have their own disparate data formats.

By way of contrast, Haung relates to a system that manages business information for a single corporate entity. Haung's system provides business information to various departments within the corporation, including sales, inventory control, manufacturing control and marketing departments. As Haung's system serves a single entity, and does not facilitate the exchange of

information among independent entities in a supply chain, Haung both fails to teach elements of the claimed invention and is non-analogous art.

Although Haung discusses supply chain monitoring, Haung's notion of a supply chain is described from the limited perspective of a single corporate entity. By way of contrast, a supply chain in the context of the present invention involves monitoring supply chain activity and extracting supply-related data at independent supply chain sites within the supply chain. Haung, however, manages business data from departments within a single entity.

For illustrative purposes, consider Figure 1 from the present application. As shown below in Figure 1, the prior art related to the invention involves a number of independent entities, such as OEMs, contract manufacturers, and vendors, all of which have their own independent information.
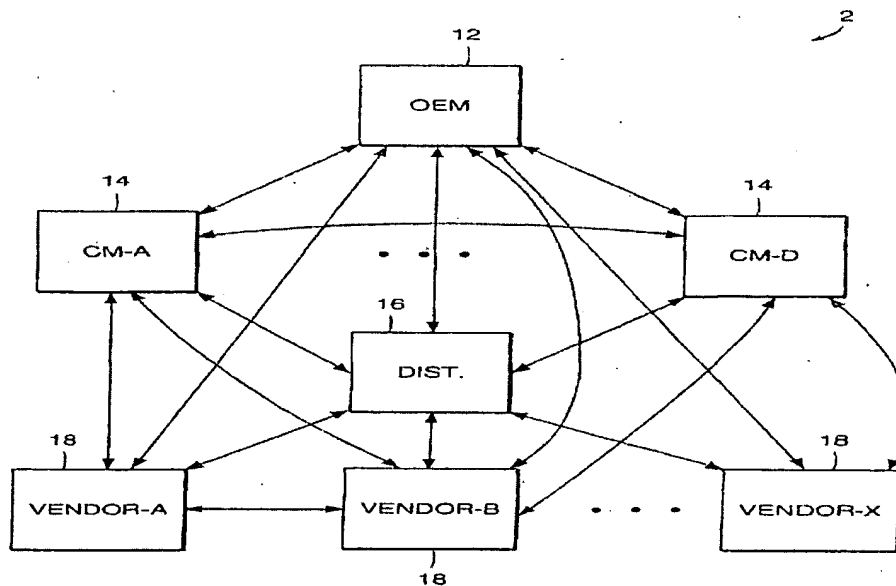

FIG. 1A
(PRIOR ART)

To facilitate the exchange of information between independent entities, the present system extracts supply-related data at independent sites of independent entities in the supply chain. In addition, the system asserts alerts to an independent site when a problem condition is detected in data retrieved from another site. Furthermore, the invention publishes the extracted data at an independent site according to its access privileges. In this way, the invention facilitates the exchange of information among independent participants of the supply chain, while protecting their proprietary information.

Because Haung is directed to a closed system for a single corporate enterprise, it does not address the problems solved by the present invention. While Haung may address the needs of a single entity, Haung does not address the need to exchange information among a plurality of independent participants in the supply chain.

Likewise, Muraoka is directed to a system that enables a single entity to manage its production process. Muraoka does not relate to the claimed system that extracts supply-related data at independent supply chain sites, where each of the supply chain sites represents an independent participant in the supply chain. Like Haung, Muraoka's production management system relates to a single enterprise, and therefore, is non-analogous art.

The Examiner correctly notes that Haung does not describe alerts. Muraoka was cited by the Examiner to show alerts. Muraoka, however, does not discuss the claimed alerts. Rather, Muraoka discusses solving problems in managing production schedules and delivery data by facilitating load partitioning for a single entity. Muraoka does not discuss detecting a problem condition in data extracted from independent sites within the supply chain, and asserting an alert to a user of another supply chain site in response to the problem condition detected.

As such, neither Haung nor Muraoka address the problems associated with sharing information among a plurality of independent participants in the supply chain, nor does Haung and Muraoka discuss the solutions presented in the claimed invention. Accordingly, it is respectfully submitted that the Examiner has not made a prima facie showing of obviousness

under §103(a) because Haung and Brockman, taken separately or in combination, does not teach

every aspect of the claimed invention, namely:

- extracting supply-related data at <u>independent</u> supply chain sites within the supply chain, as set forth in Claims 1, 23, 38, 41, 42, 43, 44, 56, 59, and 60 respectively;

- <u>where the supply chain sites represent independent entities in the supply chain,</u> as set forth in Claims 1, 23, 38, 41, 42, 43, 44, 56, and 59, respectively;

- upon a request from a user associated with a one of the supply chain sites, formatting . . . a portion of the collected data, retrieved from one of the supply chain sites <u>other</u> than the site of the user . . . the portion of formatted data being dependent on <u>access rights granted to the user's supply chain site,</u> as similarly recited in Claims 1, 38, 41, 42, 43, 56, and 59, respectively;

- allowing a user associated with a supply chain site to query the data collector for supply-related data retrieved from one of the supply chain sites <u>other than the site of the user,</u> as set forth in Claims 23;

- determining a problem condition if there is a supply chain shortage or surplus detected in the collected data retrieved from at least one of the supply chain sites <u>other than the site of the user,</u> as similarly recited in Claims 1, 38, 41, 42, 43, 44, 56, and 59, respectively; and

- responding to the problem condition by <u>asserting an alert,</u> where the alert indicates a problem condition associated with at least one of the supply chain sites <u>other than the site of the user,</u> as similarly recited in Claims 1, 38, 41, 42, 43, 44, 56, and 59, respectively.

As such, it is respectfully requested that the rejection of independent Claims 1, 23, 38, 41,

42, 43, 44, 56, 59 and 60, and their respective dependents under 35 U.S.C. § 103(a) be

withdrawn.

<u>Information Disclosure Statement</u>

An Information Disclosure Statement (IDS) is being filed concurrently herewith. Entry

of the IDS is respectfully requested.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

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